

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

October 23, 2006

PRESENT: Tom Cowan, Chairman
Terry Janicz
John Olaf
Andy Kelkenberg
Rick Meahl
Don Hoefler
John Potera
Christine Falkowski, Recording Clerk
John Good, Code Enforcement Officer
Cark Klingenschmitt, Conservation Advisory Council

The Planning Board meeting was called to order by Tom Cowan at 7:30PM.

Discussion ensued regarding the Verizon Wireless cell tower application.

Route 5 Rezoning

Christine distributed the Planning Board notes from the August 28th meeting along with the 15-page Code document showing changes on several pages. Tom noted that the recommendation will be made to reconstruct the vision map in the Comprehensive Master Plan. Tom will get with Christine to finalize how the changes will be presented to the Town Board. The Planning Board would like to examine this document first.

12963 Main Road – Cell Tower

Site Plan/Special Use Permit-Upstate Cellular Network d/b/a Verizon Wireless

Attendees: Lori Bowman of Nixon Peabody LLP, John Engelbert of Verizon Wireless, Steve Lingard and Brett Morgan, Managers. Lori Bowman stated that Verizon will applying for a building permit for co-location on the Sprint tower at 4678 South Newstead Road (Richardson) in the future.

Lori presented the project including maps illustrating the lack of Verizon service in the southwest portion of town. They are proposing a 100' monopole tower, 12' x 20' equipment shed, 30' wide access easement connecting to Route 5, and other improvements as shown on the site plan dated September 19, 2006 located on 64 acres south of Main Road near Buell Street owned by Charles McConnaughey. The parcel depth is 3,590' with the tower approximately 1,300' deep. The setback to the west lot line is 111', which is more than the height of the tower per the fall zone stipulated by Town code. Also, this maximizes the owner's use of parcel remainder. The Planning Board suggested the tower be constructed to allow for expansion to the maximum height of 175' to allow for co-location, thus making the fall zone or setback 175' from west lot line. Lori stated that she can provide data showing that towers collapse approximately 50 – 75% of their height, not 100%. She will ask Mr. McConnaughey if this idea is pleasing to him. Lori reviewed the alternate sites, explaining why they would not work. There will be a back-up generator on site with a 225 – 250 gallon double-walled diesel tank. Lori stated they are amenable to a red light at the top for Mercy Flight and a Fire Repeater system.

Wendel Duchscherer reviewed the project and offered nine comments in a memo dated October 23, 2006 which must be addressed. This is a Type I action under SEQR and a coordinated review will be conducted. The Town Board will vote on a resolution declaring Lead Agency for this project on November 13th.

Don made a motion, seconded by Andy to recommend this project to the Town Board with the following conditions:

1. Revise site plan showing tower readily expandable to 175' with sufficient base and 175' from west lot line. Verizon will make this request to owner, and if owner does not agree, Verizon will provide documentation that a fall zone of 100' is sufficient to handle a 175' tower. Verizon will request that the Board waive the setback requirements.
2. Continuous red light to accommodate Mercy Flight, per Carl's specifications.
3. Not accept Exhibit H - Verizon Wireless Co-Location policy, omitting item #3 "The other provider must have a similar policy of co-location for Verizon and its affiliated/related companies"
4. Verizon allow at minimal or no cost a Fire Repeater system for a public service entity.

12963 Main Road – Cell Tower**Site Plan/Special Use Permit-Upstate Cellular Network d/b/a Verizon Wireless.....(continued)**

5. Verizon consider cellular phone service for the Town at no cost or reduced rate.
6. Wendel Duchscherer's comments in October 23rd memo be addressed.
7. Diesel storage tank be double-walled with dyke system.

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Andy Kelkenberg	-Aye
Rick Meahl	-Aye
Don Hoefler	-Aye
John Potera	-Aye

Preapplication Conference - Sign Permit - 12227 Main Road

Jack Thering owns a .86 parcel of land (150' x 250') on Main Road. The surrounding acreage on this south side of Main is the Ivy Ridge golf course. Mr. Thering has had violations for outdoor storage (of appliances) which is not allowed. Each occurrence was cleaned up to the Code Enforcement Officer's satisfaction. Mr. Thering states that the few remaining appliances visible from Route 5 are vintage props only and are not for sale. He stated he no longer repairs appliances and is in the vintage sales market, which is a retail operation conducted within his storage building that was previously for personal storage use. Mr. Thering states his business has always been called "Recycle This" and that he now wants to install a permanent sign on the planters that were constructed 27 years ago saying "Vintage Range Restoration & Sales". Tom recommended Mr. Thering apply for a temporary sign, which is valid for 30 days. Tom recommended Mr. Thering make application for Change-in-Use (residential to retail), and John Good agreed. Mr. Thering will prepare a site plan, to include all Overlay Zone requirements and permanent sign specifications, for review at our next meeting.

Site Plan Application (resubmission) - 11986 Main Road – The Dog House

No representation present. The Town Board would like to see revisions to the site plan as follows:

1. Move the shed for sale to the rear of the trailer/shed
2. Move the 4x8 temporary sign out of the ROW
3. Move dumpster behind (proposed new building) vs. just screening it
4. Landscape south side of proposed new building
5. Add landscaping to west side of primary building vs. planters on asphalt (which could create parking/access issue)

Tom and John Good will make a visit to The Dog House this week to review these issues with John Stein.

Site Plan Application - 11478 Main Street – Faith Fellowship Church**Carport Addition & Sign Relocation**

Pastor Dale Bartholomew appeared. The church is making site plan application for a 500 sq. ft. carport addition to their north entrance to allow unloading of vehicles out of the weather. They would also like to relocate their 4x6 lighted sign to the center of the driveway median. The island on the carport will be landscaped. The sign will be attached to 5" square steel posts, bringing the total width to 7' 2" and the height to 5' 6". There will be 18" between the bottom edge of sign and the ground, and the base will be landscaped. The Planning Board would like to see the street number "11478" on the sign and is happy with it remaining internally lit. The Planning Board verified compliance with the Overlay Zone.

John Olaf made a motion approving the sign be internally lit during hours of operation to include one hour after closing, seconded by Terry:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Andy Kelkenberg	-Aye
Rick Meahl	-Aye
Don Hoefler	-Aye
John Potera	-Aye

Site Plan Application - 11478 Main Street – Faith Fellowship Church
Carport Addition & Sign Relocation.....(continued)

Rick made a motion recommending approval of this project to the Town Board, seconded by Terry:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Andy Kelkenberg	-Aye
Rick Meahl	-Aye
Don Hoefler	-Aye
John Potera	-Aye

Minutes Review

Don motioned to approve the minutes of October 2, 2006, seconded by Terry:

Tom Cowan	-Aye
Terry Janicz	-Aye
John Olaf	-Aye
Andy Kelkenberg	-Aye
Rick Meahl	-Aye
Don Hoefler	-Aye
John Potera	-Aye

John Potera made a motion to adjourn the meeting at 9:45PM, seconded by Terry and all approved.

Respectfully submitted,

Christine Falkowski
Recording Clerk